

DAVID J. BERGER, State Bar No. 147645  
 THOMAS J. MARTIN, State Bar No. 150039  
 CATHERINE E. MORENO, State Bar No. 264517  
 ANALISA M. PRATT, State Bar No. 262951  
 SAVITH S. IYENGAR, State Bar No. 268342  
 WILSON SONSINI GOODRICH & ROSATI  
 Professional Corporation  
 650 Page Mill Road  
 Palo Alto, CA 94304-1050  
 Telephone: (650) 493-9300  
 Facsimile: (650) 565-5100  
 Email: tmartin@wsgr.com

PAUL CHAVEZ, State Bar No. 241576  
 LAWYERS' COMMITTEE FOR CIVIL RIGHTS  
 131 Steuart Street, Suite 400  
 San Francisco, CA 94105  
 Telephone: (415) 543-9444  
 Facsimile: (415) 543-0296  
 Email: pchavez@lccr.com

JULIA HARUMI MASS, State Bar No. 189649  
 ALAN L. SCHLOSSER, State Bar No. 49957  
 AMERICAN CIVIL LIBERTIES UNION FOUNDATION  
 OF NORTHERN CALIFORNIA, INC.  
 39 Drumm Street  
 San Francisco, CA 94111  
 Telephone: (415) 621-2493  
 Facsimile: (415) 255-8437  
 Email: jmass@aclunc.org

Attorneys for Plaintiffs  
 UELIAN DE ABADIA-PEIXOTO, ESMAR CIFUENTES,  
 PEDRO NOLASCO JOSE, and MI LIAN WEI

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

UELIAN DE ABADIA-PEIXOTO, <i>et al.</i> ,	)	Case No. CV 11-4001 RS
	)	
Plaintiffs,	)	<b>AMENDED JOINT STIPULATION</b>
	)	<b>AND [PROPOSED] ORDER TO</b>
vs.	)	<b>EXTEND DEADLINES</b>
	)	
UNITED STATES DEPARTMENT OF	)	
HOMELAND SECURITY, <i>et al.</i> ,	)	
	)	
Defendants.	)	
	)	

1 Pursuant to Civil Local Rules 6-1(b) and 7-12, Plaintiffs Uelian De Abadia-Peixoto,  
2 Esmar Cifuentes, Pedro Nolasco Jose, and Mi Lian Wei ("Plaintiffs") and Defendants the United  
3 States Department of Homeland Security, United States Immigration and Customs Enforcement,  
4 et. al., ("Defendants") by and through their respective undersigned counsel of record, hereby  
5 stipulate and agree, subject to this Court's approval, to extend the deadline for discovery,  
6 currently scheduled for August 13, 2012. Further, the parties seek to adjust deadlines set forth in  
7 the Court's March 9, 2012 Pretrial Case Management Scheduling Order (the "Scheduling  
8 Order") as set forth below.

9 Plaintiffs and Defendant respectfully submit that good cause exists for an extension of  
10 time. The parties have met and conferred extensively regarding discovery and have attempted to  
11 resolve disagreements related thereto. Despite these discussions, Plaintiffs anticipate the need to  
12 file a motion to compel regarding certain documents and privilege assertions. Defendants also  
13 anticipate the need to file a motion for a protective order regarding certain noticed deposition  
14 topics.<sup>1</sup> Thus, the parties anticipate needing until November 13, 2012, to complete any  
15 additional document production ordered pursuant to Plaintiffs' motion to compel and to complete  
16 all depositions. In response to the stipulation the parties originally filed, the parties learned that  
17 the Court's next available trial date is in November 2013. The parties submit the following  
18 proposed schedule in light of the Court's trial calendar, and also request that the Court inform the  
19 parties if trial dates become available after May 30, 2013, so that the trial in this case may be  
20 moved up.

21 In light of the foregoing, Plaintiffs and Defendants seek the extension of the following  
22 deadlines contained in the Scheduling Order as follows:

- 23 1. Close of fact discovery: November 13, 2012;
- 24 2. Disclosure of Plaintiffs' expert testimony reports: January 11, 2013;

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27 <sup>1</sup> The contemplated schedule for the motions is as follows: opening briefs due on or before  
28 August 31, 2012; oppositions due September 14, 2012; replies due September 21, 2012; and a  
hearing on the motion at the Court's earliest convenience.

3. Disclosure of Defendants' expert testimony reports: February 6, 2013;
4. Close of expert discovery: February 27, 2013;
5. Hearing on dispositive motions: May 30, 2013;
6. The parties acknowledge and agree to supplement their discovery responses in accordance with the Federal Rules and applicable local rules. In particular, if Defendants' practices with regard to the restraints used on detainees change (or are scheduled to be changed) after the close of fact discovery but prior to September 30, 2013 and Defendants intend to rely on or present evidence at trial regarding such changes (or proposed changes), Defendants must supplement their discovery responses accordingly by September 30, 2013. The parties expressly reserve their right to object to the introduction of evidence that has not been timely produced in accordance with the Federal Rules, local rules, and this agreement.
7. Motions *in limine*: filed by October 18, 2013;
8. Oppositions to motions *in limine* filed by October 25, 2013;
9. Pretrial statement to be filed by October 31, 2013;
10. Pretrial conference at the Court's convenience thereafter, and October 24, 2013 at 10:00 a.m.
11. Trial in November 2013. November 12, 2013 at 9:00 a.m.

The parties remain available for the Court's previously-scheduled October 4, 2012 Case Management Conference, if so desired by the Court.

Dated: August 10, 2012

Respectfully submitted,

By: /s/ Catherine E. Moreno  
Catherine E. Moreno

WILSON SONSINI GOODRICH & ROSATI  
*Professional Corporation*  
David J. Berger  
Thomas J. Martin  
Analisa M. Pratt  
Savith S. Iyengar

LAWYERS' COMMITTEE FOR CIVIL RIGHTS  
Paul Chavez

AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION OF NORTHERN CALIFORNIA,  
INC.  
Julia Harumi Mass  
Alan L. Schlosser

*Attorneys for Plaintiffs*

Dated: August 10, 2012

By: /s/ Samuel P. Go  
Samuel P. Go

Senior Litigation Counsel  
District Court Section  
Office of Immigration Litigation  
Civil Division  
U.S. Department of Justice  
P.O. Box 868, Ben Franklin Station  
Washington, DC 20044  
Telephone: (202) 353-9923  
Facsimile (202) 616-8962  
Email: samuel.go@usdoj.gov

STUART F. DELERY  
Acting Assistant Attorney General  
Civil Division

DAVID J. KLINE  
Director  
Office of Immigration Litigation  
District Court Section

VICTOR M. LAWRENCE  
Principal Assistant Director  
Office of Immigration Litigation

*Attorneys for Defendants*

**SIGNATURE ATTESTATION**

I, Catherine E. Moreno, attest that I obtained the concurrence of Samuel P. Go in filing this document. I declare under penalty of the laws of the United States that the foregoing is true and correct.

Executed this 10th day of August, 2012 in Palo Alto, California.

/s/ Catherine E. Moreno  
Catherine E. Moreno

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

2  
3  
4 Dated: 8/20/12



Honorable Richard Seeborg  
United States District Judge  
Northern District of California